

6410 6/16/15

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
IFT-5657A-1

In Re Application Of: **Jane Werling et al.**

Serial No.
10/035,821

Filing Date
October 19, 2001

Examiner
Not yet assigned

Group Art Unit
1615

Title: **METHOD FOR PREPARING SUBMICRON SUSPENSIONS WITH POLYMORPH CONTROL**

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Address to:
Assistant Commissioner for Patents
Washington, D.C. 20231

37 CFR 1.97(b)

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

☐ the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
IFT-5657A-1

In Re Application:  **James Werling et al.**

Serial No.

10/035,853

Filing Date

October 19, 2001

Examiner

Not yet assigned

Group Art Unit

1615

METHOD FOR PREPARING SUBMICRON SUSPENSIONS WITH POLYMORPH CONTROL

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☐ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. _____ as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
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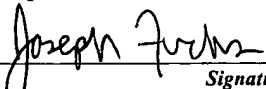
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Robert Buccieri

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Signature

Joseph A. Fuchs, Reg. No. 34,604
BELL, BOYD & LLOYD LLC
P.O. Box 1135
Chicago, IL 60690-1135
Tel: (312) 807-4335

Dated: 6/13/02

CC:



Pat. Dkt. No: IDD-5657A-1
BBL No.: 113957-235

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application Of:)
Jane Werling et al.)
For: METHOD FOR PREPARING)
SUBMICRON SUSPENSIONS)
WITH POLYMORPH CONTROL)
Serial No.: 10/035,821)
Filed: October 19, 2001)
Examiner: Not yet assigned)
Art Unit: 1615)
Conf. No.: 2470)

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Office with sufficient postage as first class mail in an envelope addressed to: BOX DD, Commissioner for Patents, Washington, D.C. 20231 on June 14, 2002.

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INFORMATION DISCLOSURE STATEMENT

BOX DD
Commissioner for Patents
Washington D.C., 20231

Sir:

Pursuant to 37 C.F.R. 1.97, a list of documents is disclosed on the attached form PTO-1449 that may be material to the examination of this application. A copy of each of the documents is enclosed herewith for the Examiner's consideration. No inference should be drawn that the attached list represents a comprehensive investigation of the prior art; that any or all are pertinent to the invention; or that any apparatus disclosed is equivalent to the subject invention.

The identified patents and documents do not suggest or make obvious the claimed invention. Hence, allowance of the pending application is respectfully requested.

Respectfully submitted,
BELL, BOYD & LLOYD LLC

Date: June 13, 2002

BY
Joseph A. Fuchs, Reg. No. 34,604
P.O. Box 1135
Chicago, Illinois 60690-1135
Phone: (312) 807-4335

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INFORMATION DISCLOSURE CITATION IN AN APPLICATION (use several sheets if necessary) PTO Form 1449		Atty Docket No. IFT-5657A-1	Application No. 10/035,821
		Applicant Jane Werling et al.	
		Filing Date 19 October 2001	Group 1615

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Document Number	Publication Date	Country	Class	Subclass	Translation	
						Yes	No
	EP 0808154 B1	20 Dec 2000	EP	A61K	9/107	X	
	EP 0804162 B1	5 Sept 2001	EP	A61K	9/14	X	
	EP 0754034 B1	11 July 2001	EP	A61K	9/51	X	
	EP 0605024 A3	6 July 1994	EP	A61K	9/51	X	
	EP 0602702 A1	22 June 1994	EP	A61K	9/14	X	
	EP 0602700 A3	22 June 1994	EP	A61K	49/04	X	
	EP 0601619 A3	15 June 1994	EP	A61K	47/48	X	
	EP 0601618 A3	15 June 1994	EP	A61K	47/48	X	
	EP 0600532 A3	8 June 1994	EP	A61K	49/04	X	
	EP 0577215 A1	1 May 1994	EP	A61K	9/14	X	
	EP 0535534 A1	7 Apr 1993	EP	A61K	9/51	X	
	EP 0517565 B1	18 Oct 2000	EP	A61K	9/16	X	
	EP 0499299 B1	16 Aug 2000	EP	A61K	9/51	X	
	EP 0498482 B1	8 Sept 1999	EP	A61K	49/04	X	
	WO 01/87264 A2	22 Nov 2001	PCT	A61K	9/00	X	
	WO 01/80828 A2	1 Nov 2001	PCT	A61K	9/00	X	
	WO 01/26635 A2	19 Apr 2001	PCT	A61K	9/51	X	
	WO 01/17546 A1	15 Mar 2001	PCT	A61K	38/13	X	
	WO 00/51572 B1	8 Sept 2000	PCT	A61K	9/51	X	
	WO 00/40220 A1	13 July 2000	PCT	A61K	9/14	X	
	WO 00/30616 A1	2 June 2000	PCT	A61K	9/14	X	
	WO 00/30615 A1	2 June 2000	PCT	A61K	9/14	X	
	WO 00/27363 A1	18 May 2000	PCT	A61K	9/14	X	
	WO 00/18374 A1	6 Apr 2000	PCT	A61K	9/26	X	
	WO 00/12125 A1	9 Mar 2000	PCT	A61K	39/00	X	
	WO 00/12124 A1	9 Mar 2000	PCT	A61K	39/00	X	
	WO 00/09096 B1	24 Feb 2000	PCT	A61K	9/51	X	
	WO 99/65469 A3	23 Dec 1999	PCT	A61K	9/16	X	
	WO 99/61001 A1	2 Dec 1999	PCT	A61K	9/14	X	
	WO 99/49848 A1	7 Oct 1999	PCT	A61K	9/107	X	
	WO 99/49846 A2	7 Oct 1999	PCT	A61K	9/00	X	
	WO 99/38493 A1	5 Aug 1999	PCT	A61K	9/00	X	
	WO 99/29316 A1	17 June 1999	PCT	A61K	31/20	X	
	WO 99/03450 A1	29 Jan 1999	PCT	A61K	9/16		X
	WO 99/02665 A1	21 Jan 1999	PCT	C12N	9/99	X	

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INFORMATION DISCLOSURE CITATION IN AN APPLICATION (use several sheets if necessary) PTO Form 1449		Atty Docket No. IFT-5657A-1	Application No. 10/035,822
		Applicant Jane Werling et al.	
		Filing Date 19 October 2001	Group 1615



FOREIGN PATENT DOCUMENTS

Examiner's Initials	Document Number	Publication Date	Country	Class	Subclass	Transl. on	
						Yes	No
	WO 99/00113 A1	7 Jan 1999	PCT	A61K	9/22	X	
	WO 98/14174 A1	9 Apr 1998	PCT	A61K	9/14	X	
	WO 98/07414 A1	26 Feb 1998	PCT	A61K	9/51	X	
	WO 98/07410 A1	26 Feb 1998	PCT	A61K	9/14	X	
	WO 97/36611 A1	9 Oct 1997	PCT	A61K	9/107	X	
	WO 97/30695 A1	28 Aug 1997	PCT	A61K	9/107	X	
	WO 97/14407 A1	24 Apr 1997	PCT	A61K	9/14	X	
	WO 96/31231 A1	10 Oct 1996	PCT	A61K	9/51	X	
	WO 96/25918 A1	29 Aug 1996	PCT	A61K	9/12	X	
	WO 96/25152 A1	22 Aug 1996	PCT	A61K	9/51	X	
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	WO 96/24340 A1	15 Aug 1996	PCT	A61K	9/51	X	
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	WO 95/27482 A1	19 Oct 1995	PCT	A61K	9/51	X	
	WO 93/25190 A1	23 Dec 1993	PCT	A61K	9/14	X	
	WO 90/15593 A1	27 Dec 1990	PCT	A61K	9/10	X	

Examiner's Initials	OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
	B. Sjostrom et al., Preparation Of Submicron Drug Particles In Lecithin-Stabilized O/W Emulsions I. Model Studies Of The Precipitation Of Cholesteryl Acetate, Int. J. Pharm., 88 (1992) pp 53-62.
	B. Sjostrom et al., A Method For The Preparation Of Submicron Particles Of Sparingly Water-Soluble Drugs By Precipitation In Oil-In-Water Emulsions. II: Influence Of The Emulsifier, The Solvent And The Drug Substance, J. Pharm. Sci., 82(6), (1992) pp 584-589.

Examiner:	Date Considered:
*Examiner: Initial if citation considered, whether or not citation is in conformance with PEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	